

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.THANKAPPAN

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

CRL.A.No. 1033 of 2007()

CC.723/2004 of JUDICIAL MAGISTRATE OF FIRST CLASS-I, HARIPAD
.....

APPELLANT/2ND ACCUSED:

VIJAYAN, S/O.PALPU, VIJAYA BHAVANAM,
KANNAMPALLY BHAGOM, KURIKKAD VILLAGE.

BY ADV. SRI.K.HARILAL

RESPONDENTS/ACCUSED:

1.SREEDHARAN, KOTTUVALIL VEEDU,
CHERAVALLY MURI, KAYAMKULAM VILLAGE.

2.KOCHIKA BHAVANI, PUTHENPURA PADEETTATHIL,
NADUVILA MURI, PALLICKAL, BHARANICKAVU VILLAGE.

3.LALITHA KUMARY, PUTHENPURA PADEETTATHIL,
NADUVILA MURI, PALLICKAL, BHARANICKAVU VILLAGE.

4.MOHANAN, KOTTUVALIL VEEDU, CHERAVALLY MURI,
KAYAMKULAM VILLAGE.

5.BALAN, -DO- -DO-

6.THULASI, -DO- -DO-

7.SURESH, -DO- -DO-

8.SASANKAN, PUTHENPURA PADEETTATHIL, NADUVILA MURI,
PALLICKAL, BHARANICKAVU VILLAGE.

9.ANIRUDHAN, POKKADU VEEDU, OLAKETTIYAMBALAM.

BY //

THIS CRIMINAL APPEAL HAVING COME UP FOR ADMISSION
ON 14/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.THANKAPPAN, J.

CRL. APPEAL NO. 1033 OF 2007

Dated this the 14th day of June, 2007

JUDGMENT

This appeal is misconceived. The case is a police charge and the appellant being the defacto complainant, he can only file a revision. Even in case of a private complaint, the complainant can file an appeal only after filing a petition for special leave to appeal. The appellant is, therefore, permitted to withdraw the appeal without prejudice to his right to seek appropriate remedy as per law.

The Crl. Appeal is accordingly dismissed as withdrawn.

(K.THANKAPPAN, JUDGE)

sp/

